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Docket No. 02633.000001.  
Date: July 5, 2006

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Michael Sachs

Application No.: 09/855,942

For: MAXIMAL NASAL INTERNAL SUPPORT SYSTEM

Filed: May 16, 2001

Art Unit: 3764

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 4, 2006, of the Primary Examiner finally rejecting claims 2, 3, 13, 14, 16, 19 and 33-42.

The items checked below are appropriate.

1.  Applicant petitions for a three-month extension of time to respond to the final rejection; the \$510.00 extension fee under 37 C.F.R. §1.17 is filed herewith.
2.  A Petition for an additional \_\_\_\_ month extension of time to take further action, together with the \$\_\_\_\_\_ extension fee under 37 C.F.R. §1.17, was filed on \_\_\_\_\_.
3.  Fee \$500.00
- Fee \$250.00

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 5, 2006.

(Date of Deposit)

Leonard P. Diana (Reg. No. 29,296)

Name of Attorney for Applicant

*L.P. Diana*  
Signature

July 5, 2006

Date of Signature

07/11/2006 MBELETE1 00000027 09855942

01 FC:2401  
02 FC:2253

250.00 OP  
510.00 OP

- Enclosed
- Not required (fee paid in prior appeal)
- Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4.  Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5.  Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Leonard P. Diana  
Attorney for Applicant  
Registration No. 29,296

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